



COUNCIL OF THE DISTRICT OF COLUMBIA
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20004

KENYAN R. McDUFFIE
Councilmember, Ward 5
Chair Pro Tempore
Chair, Committee on Government Operations

Committee Member
Economic Development
Human Services
Transportation and the Environment
Workforce and Community Affairs

April 17, 2013

Charles J. Willoughby
Inspector General
District of Columbia Office of the Inspector General
717 14th Street NW, 5th Floor
Washington, DC 20005

Dear Inspector General Willoughby:

As a result of the recent release of findings by the Office of the State Superintendent of Education, investigations by journalists, and the discovery of a confidential memorandum regarding serious allegations of widespread cheating in District of Columbia Public Schools (DCPS), I am again expressing concern about the fastidiousness of the Office of the Inspector General's (OIG) investigations. As you have rightly stated, District residents rely on your office to help prevent fraud, waste and abuse. While I do not wish to make inflammatory accusations, the discovery of this memorandum creates doubt that your investigation thoroughly and expansively examined the allegations regarding the District of Columbia Comprehensive Assessment System Standardized Exams administered by DCPS.

As I stated in my letter to you, dated January 7, 2013, I am gravely concerned your office's investigation did not reach further than Noyes Elementary School. Strikingly, your investigative report suggests that there is no corroboration for the allegations that cheating occurred at other DCPS locations. However, with the surfacing of the memorandum, and the allegations of Ms. Adell Cothorne, there appears to be at minimum sufficient basis to investigate beyond Noyes.

In your response dated January 18, 2013, you reiterated the factors you considered in limiting the scope of your investigation. However, a review of the factors considered demonstrates that:

- 1) Factor 1 - your office opined that despite a large number of erasures (that were found to be statistically significant by others) you did not have a basis to determine it was cheating;
- 2) Factor 2 - your office relied on the absence of investigative leads from the Caveon report to determine that there was no widespread cheating;
- 3) Factor 3 - your office determined, based on the responses of a limited amount of witnesses who may have had an interest in protecting their positions, that there was no widespread cheating;
- 4) Factor 4 - similarly to Factors 1 and 2, that despite a finding of security lapses at Noyes, there was no evidence of widespread cheating; and,
- 5) Factor 5 - that your interview with the Chancellor, who could not have been present at all the other schools, did not provide any leads to investigate.

In my review of the factors I cannot help but conclude that your office did not investigate further because you were told that no cheating occurred anywhere else, and, because no other party had

conducted an investigation at the other locations to provide you with leads, your office felt the well was dry. Simply put, I would characterize any similar investigation as anemic.

Moreover, in addition to the emergence of this confidential memo, a cursory comparative analysis of the investigatory procedures used in this matter with those of other jurisdictions elucidates the problem further. Atlanta recently investigated comparable cheating allegations. However, the steps taken to execute the investigation in the District pale in comparison to the steps taken in Atlanta. It is being reported that in Atlanta, officials, led by their former Attorney General and County District Attorney interviewed 2,000 people and reviewed over 800,000 documents. Conversely, your office interviewed 60 people, did not include the 2008 test in your investigation, only investigated Noyes Education Campus, and neglected to investigate the other 70 schools potentially implicated in the scandal.

It is not my intention to imply that each report discussing the same subject matter must arrive at the same conclusion. However, while I believe your office's intentions are genuine, I must concurrently suggest that there may be an alarming disparity in the approach to the investigative process when compared to other jurisdictions.

As a result, while I am concerned about and respect the confidentiality of your investigations, I am requesting an opportunity for the Committee to review the investigative file for OIG File No. 2011-0318 at your office.

I look forward to working with your office to ensure that District residents receive complete and reliable investigations especially on issues that relate to the education of our youth.

The Committee appreciates your attention to this issue. Please provide a response with available dates and times for the review of the case file by April 30, 2013. If you have any questions or require additional information, please contact Ronan Gulstone, Committee Director, at (202) 478-2456.

Sincerely,



Kenyan R. McDuffie
Councilmember, Ward 5
Chair, Committee on Government Operations

Cc: Councilmember Muriel Bowser
Councilmember David Catania
Councilmember Mary Cheh
Councilmember Vincent Orange